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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

STAR SALAZAR, et al.,

Plaintiffs,

vs.

COUNTY OF LOS ANGELES, AND
DOES 1-10, et al.,

Defendants.

CASE NO. 2:15-cv-09003-MWF (JCx)

The Hon. Michael W. Fitzgerald

JOINT STATUS REPORT

Trial Date: None Set

Pursuant to this Court's May 4, 2017 Order, the parties hereby submit the following joint status report.

I. RELATED CASES

There are five related lawsuits, all proposed class actions, against counties in southern California concerning the same set of claims. The related cases are:

A. *Salazar v. County of Los Angeles*, CV 15-09003 MWF (JCx)

B. *Alarid v. County of San Bernardino*, CV 16-01079 MWF (JCx)

C. *Kaelin v. County of Riverside*, CV 16-02477 MWF (JCx)

D. *Bohanon v. County of Orange*, CV 16-02478 MWF (JCx)

E. *Gallardo v. County of Ventura*, CV 16-02479 MWF (JCx)

1 **II. PRIOR STAY ORDER**

2 This Court previously dismissed the state law claims without prejudice and
3 Plaintiffs refiled them in state court. On January 27, 2017 this Court stayed proceedings
4 in the five above-referenced federal actions until the resolution of the state law cases.

5 **III. STATUS REPORT**

6 The five state court complaints filed against the counties of Los Angeles, San
7 Bernardino, Riverside, Orange and Ventura were coordinated along with four additional
8 complaints against the counties of Alameda, Santa Clara, Contra Costa and San Mateo
9 (collectively the “Coordinated State Cases”). The Coordinated State Cases were
10 assigned to Los Angeles County Superior Court Judge Carolyn B. Kuhl, and Judge
11 Kuhl held a status conference in the Coordinated State Cases on May 8, 2017.

12 At the status conference the parties informed the court they believe a case that
13 was then pending before the California Supreme Court, *Jacks v. City of Santa Barbara*
14 234 Cal. App. 4th 925 (2015), petition for review granted S225589, may have a
15 significant bearing on the California Constitution, Article XIII-C and XIII-D issues.
16 The parties asked the court to defer the deadline for filing motions and/or responsive
17 pleadings until the California Supreme Court issued its opinion in the *Jacks* case. The
18 court agreed and ordered the Plaintiffs to file a consolidated complaint in the
19 Coordinated State Cases after the *Jacks* opinion was issued.

20 The court further ordered the parties to thereafter meet-and-confer to agree on a
21 deadline when Defendants’ responsive pleadings would be due, and to agree on a
22 briefing schedule should Defendants elect to file demurrers and/or other motions
23 challenging the sufficiency of Plaintiffs’ consolidated complaint. The court scheduled a
24 further status conference for January 16, 2018.

25 The California Supreme Court issued its opinion in the *Jacks* case on June 29,
26 2017, but the plaintiffs in that case have filed a petition for rehearing.

27 The Plaintiffs in the Coordinated State Cases filed their consolidated complaint
28 on July 21, 2017. Defendants are in the process of reviewing the consolidated

1 complaint and analyzing it in light of the *Jacks* opinion, and the parties will then meet-
 2 and-confer to address the issues ordered by Judge Kuhl. Defendants anticipate filing a
 3 consolidated demurrer and/or other motions to resolve the legal issues presented by
 4 Plaintiffs' consolidated complaint in the Coordinated State Cases.

5 **IV. REQUESTED ORDER**

6 The parties request the court to continue the stay of the federal cases until the
 7 issues concerning all of the state law claims are resolved by the state court. During the
 8 pendency of the stay the parties will continue to submit joint status reports to this Court
 9 every 90 days unless otherwise ordered by this Court.

10
 11 DATED: July 31, 2017

RAPKIN & ASSOCIATES, LLP

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 13
 14 By: /s/ Scott B. Rapkin
 15 Scott B. Rapkin
 16 Attorneys for Plaintiffs

17 DATED: July 31, 2017

LEWIS BRISBOIS BISGAARD & SMITH LLP

18
 19
 20 By: /s/ Ryan D. Harvey
 21 Ryan D. Harvey
 22 Attorneys for Defendant
 23 COUNTY OF LOS ANGELES

24 I certify that all counsel to this joint status report have authorized its filing.

25
 26 /s/ Ryan D. Harvey
 27 Ryan D. Harvey